



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029



SDMS DocID 2056858

LOWER DARBY CREEK AREA SUPERFUND SITE

CONFIDENTIAL SOURCE

27



INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site

(b) (6)

Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 100
Philadelphia, PA 19106

Work Assignment Number:
Date Submitted:
Contract Number:
EPA Work Assignment Manager:
Telephone Number:
DASTON Work Assignment Manager:
Telephone Number:
Interviewer:

ES002
February 3, 2003
68-S3-01-01
Carlyn Prisk
(215) 814-2625

(b) (4)

Tri-State Enterprise

Name: (b) (6) (WITNESS)
(b) (6)

Affiliation: Former Councilman, Folcroft Borough (b) (6)

Telephone: (b) (6)

Type of Interview: In-Person

Date of Interview: January 21, 2003

On January 21, 2003, the WITNESS was interviewed at his residence by (b) (4) of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill (Folcroft). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. The WITNESS advised that he is not represented by an attorney in this matter and did not want an attorney. No other persons were present and this interview was not tape-recorded.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency for former employees.

The WITNESS was shown an aerial photograph of the Site and this aerial photograph was used throughout the interview.

The WITNESS was asked to explain his association with the Site and the Folcroft Landfill. The WITNESS stated that from (b) (6) he was a councilman for the Folcroft Borough and as a councilman, he was involved in the permitting of the Folcroft Landfill.

The WITNESS stated that the Folcroft Landfill was operated by Ed Mullen. He indicated that the Folcroft Landfill was required to obtain a permit from the Folcroft Borough to operate that landfill on a yearly basis. The WITNESS stated that the Folcroft Landfill had to pay a fee for this permit. The WITNESS could not recall the charge for this permit.

When asked if Bernie McNichol was the owner of the Folcroft Landfill, the WITNESS stated that McNichol and Ed Mullen were partners in the ownership of the landfill.

The WITNESS was asked if anyone in the Folcroft Borough Government had responsibility for overseeing the daily operation of Folcroft, the WITNESS stated that some of the housing inspectors did inspect the landfill occasionally. He could not recall the names of any of these housing inspectors.

The WITNESS stated that the Folcroft Borough Highway Supervisor would be the individual that would have most of the day-to-day contact with the Folcroft Landfill. The WITNESS stated that the Borough Highway Supervisor was responsible for road maintenance and trash removal within the Borough. The WITNESS provided the name of the following individual

(b) (6)

that was the highway supervisor during some of the time the Folcroft Landfill was in operation:

- Richard Ehrenberg

The WITNESS stated that the civil engineer that would have conducted any land surveys and permit compliance would also have knowledge of operations at the Folcroft Landfill. The WITNESS provided the name of the following individual that was an engineer working for the Folcroft Borough during the time Folcroft was in operation:

- Gil Damon

When asked if he knew the names of any transporters that disposed of waste at the Folcroft Landfill, the WITNESS provided the following.

- **Tri-County Hauling:** The WITNESS stated that Tri-County Hauling was owned and operated by Ed Mullen and was located at the Folcroft Landfill.
- **1776:** The WITNESS stated that a trash company that operated numerous dump trucks and had the name "1776" printed on the doors disposed of waste at Folcroft. The WITNESS stated that he did not know where this company was located or who owned or operated this company.
- **Eastern Industrial:** The WITNESS stated that he recalls observing many different trash trucks with "Eastern Industrial" printed on the cab doors dispose of waste at the Folcroft Landfill.

When asked the names of any generators that had waste disposed of at the Folcroft Landfill, the WITNESS stated that at the time, his concern was not about the types of waste that was disposed of at Folcroft. The WITNESS stated that his primary concern was to insure that the waste was properly covered. The WITNESS stated that he does not recall the names of any specific companies that had their waste disposed of at the Folcroft Landfill.

When asked if the Folcroft Borough kept records relating to Folcroft and if so, what type of records, the WITNESS stated that the Borough would have kept the yearly permit issued to Folcroft. The WITNESS stated that the Folcroft Borough destroyed many records in the early 1980s and any other records related to the Folcroft Landfill were probably destroyed.

The WITNESS stated that during the 1960s and 1970s the Folcroft Borough was heavily influenced by the political connections of Bernie McNichol. He indicated that McNichol could do what he pleased and no one would object. The WITNESS offered that McNichol was the primary partner in the Folcroft Landfill and as such, the landfill was able to operate without fear of being closed down.

Interview Summary

February 3, 2003

(b) (6)

The WITNESS was asked if he had any knowledge of the Clearview Landfill, also known as Heller's Dump. The WITNESS stated that he did not go to the Clearview Landfill because it was located in Darby Township and was the responsibility of Darby Township officials. The WITNESS stated that he knew Richard Heller and indicated that Richard Heller was also politically connected. The WITNESS was unable to provide any further information about the Clearview Landfill.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____ Signed _____
(Date) (Name)